

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

In re	:	Chapter 11
	:	
KAISER GYPSUM COMPANY, INC., <i>et al.</i> , ¹	:	Case No. 16-31602 (JCW)
	:	
Debtors.	:	(Jointly Administered)
	:	

**NOTICE OF PROPOSED AGENDA OF
MATTERS SCHEDULED FOR HEARING ON
THURSDAY, SEPTEMBER 17, 2020, AT 9:30 A.M.**

UNCONTESTED MATTER GOING FORWARD

1. **Debtors' Fifteenth Motion for Entry of an Order Extending Period Within Which the Debtors May Remove Actions Pursuant to 28 U.S.C. §1452 and Rule 9027 of the Federal Rules of Bankruptcy Procedure [Docket No. 2443]**

- a. Related Pleadings: None
- b. Objection Deadline: September 11, 2020.
- c. Status: This matter is going forward.

STATUS CONFERENCE

1. **Third Amended Joint Plan of Reorganization of Kaiser Gypsum Company, Inc. and Hanson Permanente Cement, Inc. [Docket No. 1868] (as modified and supplemented by Docket Nos. 2027, 2304 and 2342)**

- a. Related Pleadings:
 - i. Disclosure Statement for Third Amended Joint Plan of Reorganization of Kaiser Gypsum Company, Inc. and Hanson Permanente Cement, Inc. [Docket No. 1869]

¹ The Debtors are the following entities (the last four digits of their respective taxpayer identification numbers follow in parentheses): Kaiser Gypsum Company, Inc. (0188) and Hanson Permanente Cement, Inc. (7313). The Debtors' address is 300 E. John Carpenter Freeway, Irving, Texas 75062.

ii. Order (I) Approving the Debtors' Disclosure Statement, (II) Establishing Procedures for the Solicitation and Tabulation of Votes to Accept or Reject Proposed Joint Plan of Reorganization and (III) Scheduling a Hearing on Proposed Joint Plan of Reorganization and Approving Related Notice Procedures [Docket No. 1875]

iii. Notice of Filing of Exhibits to Third Amended Joint Plan of Reorganization [Docket No. 2027]

iv. Objection of Certain Underwriters at Lloyd's, London, Certain London Market Companies, Columbia Casualty Company, National Fire Insurance Company of Hartford, and the Continental Insurance Company (Collectively, "Certain Insurers") to the Third Amended Joint Plan of Reorganization of Kaiser Gypsum Company, Inc. and Hanson Permanente Cement, Inc. [Docket No. 2066]. **This Objection has been resolved. See Docket No. 2304**

v. Objections of The Insurance Company for the State of Pennsylvania, Granite State Insurance Company and Lexington Insurance Company to Confirmation of the Debtors' Chapter 11 Plan and Partial Joinder in Objections [Docket No. 2067] **This Objection has been resolved. See Docket No. 2304**

vi. Objection of TIG Insurance Company (Formerly Known as Transamerica Insurance Company and as Successor by Merger to International Insurance Company), and Associated International Insurance Company to Third Amended Plan of Reorganization of Kaiser Gypsum Company and Hanson Permanente Cement, Inc. [Docket No. 2069] **This Objection has been resolved. See Docket No. 2304**

vii. Objection of Truck Insurance Exchange to Confirmation of the Third Amended Joint Plan of Reorganization [Docket No. 2070]

viii. Joinder by Allstate Insurance Company to Objections of Certain Excess Insurers to Third Amended Joint Plan of Reorganization [Docket No. 2071] **This Objection has been resolved. See Docket No. 2304**

ix. Notice of Filing of Exhibits to Objection by Truck Insurance Exchange to Confirmation of the Third Amended Joint Plan of Organization Docket No. 2072]

x. The First State Companies' Objections to Confirmation of Third Amended Plan of Reorganization of Kaiser Gypsum Company and Hanson Permanente Cement, Inc. [Docket No. 2073] **This Objection has been resolved. See Docket No. 2304]**

xi. Objections of Allianz, Fireman's Fund, and Westchester Fire to Confirmation of the Third Amended Joint Plan of Reorganization [Docket No. 2075] **This Objection has been resolved. See Docket No. 2304**

- xii. Limited Objection of the Official Committee of Unsecured Creditors to Confirmation of Third Amended Joint Plan of Reorganization of Kaiser Gypsum Company, Inc. and Hanson Permanente Cement, Inc. [Docket No. 2076]
- xiii. Declaration of Kevin O'Neal Holdeman, CPA, in Support of Confirmation of Third Amended Joint Plan of Reorganization [Docket No. 2145]
- xiv. Notice of Continuance of Confirmation Hearing and Other Matters Set for March 30, 2020 [Docket No. 2168]
- xv. Joint Omnibus Reply of the Official Committee of Asbestos Personal Injury Claimants and the Future Claimants' Representative in Response to Objections to the Third Amended Joint Plan of Reorganization [Docket No. 2274]
- xvi. Debtors' Memorandum of Law in Support of Confirmation of the Joint Plan of Reorganization of Kaiser Gypsum Company, Inc. and Hanson Permanente Cement, Inc. [Docket No. 2275]
- xvii. Notice of Filing of Redline Version of Third Amended Joint Plan of Reorganization of Kaiser Gypsum Company, Inc. and Hanson Permanente Cement, Inc. Reflecting Settlement Reached with Certain Excess Insurance Carriers [Docket No. 2304]
- xviii. Declaration of Lawrence Fitzpatrick in Support of Confirmation of Third Amended Joint Plan of Reorganization of Kaiser Gypsum Company, Inc. and Hanson Permanente Cement, Inc. [Docket No. 2336]
- xix. Testimonial Declaration of Truck Insurance Exchange Witness Charles E. Bates [Docket No. 2337]
- xx. Testimonial Declaration of Truck Insurance Exchange Witness Lester Brickman [Docket No. 2338]
- xxi. Testimonial Declaration of Truck Insurance Exchange Witness Scott R. Hoyt [Docket No. 2339]
- xxii. Testimonial Declaration of Truck Insurance Exchange Witness David L. Neale [Docket No. 2340]
- xxiii. Notice of Filing of Declarations in Support of Third Amended Joint Plan of Reorganization [Docket Nos. 2341, 2343, 2344 and 2345]
- xxiv. Debtor's Motion for an Order Approving Non-Material Modifications to the Joint Plan of Reorganization [Docket No. 2342]
- xxv. Order Establishing Procedures for Remote Hearing on Confirmation of Joint Plan of Reorganization and Related Proceedings [Docket No. 2356]

xxvi. Consolidated Response of Truck Insurance Exchange to the Briefs in Support of Confirmation Filed by Plan Proponents [Docket No. 2359]

xxvii. Notice of Joint Deposition Designations [Docket No. 2370]

xxviii. Notice of Joint Stipulated List of Exhibits and Other Confirmation-Related Documents [Docket No. 2371]

xxix. Joint Reply of the Official Committee of Asbestos Personal Injury Claimants and the Future Claimants' Representative in Response to Truck's Consolidated Response to Plan Proponents' Confirmation Briefs [Docket No. 2376]

xxx. Debtors' Reply to Consolidated Response of Truck Insurance Exchange [Docket No. 2377]

xxxi. Notice of Amended Joint Stipulated List of Exhibits and Other Confirmation-Related Documents [Docket No. 2381]

xxxii. Notice of Filing of (I) Proposed Findings of Fact and Conclusions of Law Regarding Confirmation of the Joint Plan of Reorganization of Kaiser Gypsum Company, Inc. and Hanson Permanente Cement, Inc., as Modified and (II) Proposed Order Confirming the Joint Plan of Reorganization of Kaiser Gypsum Company, Inc. and Hanson Permanente Cement, Inc., as Modified [Docket No. 2442]

xxxiii. Limited Objection of Truck Insurance Exchange to Proposed Findings of Fact and Conclusions of Law Regarding Confirmation of the Joint Plan of Reorganization of Kaiser Gypsum Company, Inc. and Hanson Permanente Cement, Inc., as Modified [Docket No. 2446]

xxxiv. Response and Requested Changes of Certain Insurers to the Plan Proponents' (I) Proposed Findings of Fact and Conclusions of Law Regarding Confirmation of the Joint Plan of Reorganization of Kaiser Gypsum Company, Inc. and Hanson Permanente Cement, Inc., as Modified and (II) Proposed Order Confirming the Joint Plan of Reorganization of Kaiser Gypsum Company, Inc. and Hanson Permanente Cement, Inc., as Modified, filed on August 25, 2020 Doc. 2442 [Docket No. 2447]

b. Objection Deadline: Various.

c. Status: The Court will hold a status conference on the entry of proposed findings of fact and conclusions of law and proposed order confirming the Joint Plan. The Plan Proponents are working with Truck Insurance Exchange and Certain Insurers to resolve their limited objections to the proposed findings of fact and conclusions of law and proposed order confirming the Joint Plan, and will report to the Court regarding any such resolutions prior to or at the September 17, 2020 hearing.

Virtual Hearing Instructions: In response to the COVID-19 pandemic, the hearing will be held via video conference and telephone conference using ZoomGov.com. All parties who intend to appear by ZoomGov.com (either by video or telephonically) should contact Ursula Hamilton at ursula_c_hamilton@ncwb.uscourts.gov for the needed link, codes and dial-in information. Parties who plan to speak via ZoomGov.com should plan to wear headphones to prevent feedback.

This, the 14th day of September, 2020.

RAYBURN COOPER & DURHAM, P.A.

By: /s/ John R. Miller, Jr.
John R. Miller, Jr.
N.C. State Bar No. 28689
1200 Carillion, 227 West Trade Street
Charlotte, NC 28202
(704) 334-0891

Counsel to the Debtors and Debtors in possession